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SIXTH COMMITTEE
Agenda item 137

REPORT OF THE INTERNATIONAL LAW COMMISSION
ON THE WORK OF ITS FORTY-SIXTH SESSION

France: draft resolution

Establishment of an international criminal court

The General Assembly,

Recalling its resolution 47/33 of 25 November 1992, in which it requested the International Law Commission to undertake the elaboration of a draft statute for an international criminal court,

Recalling also its resolution 48/31 of 9 December 1993, in which it requested the International Law Commission to continue its work on the question of the draft statute for an international criminal court with a view to elaborating a draft statute for such a court, if possible at the Commission's forty-sixth session in 1994,

Noting that the International Law Commission adopted a draft statute for an international criminal court at its forty-sixth session and decided to recommend that an international conference of plenipotentiaries be convened to study the draft statute and to conclude a convention on the establishment of an international criminal court,

Expressing deep appreciation for the offer of the Government of Italy to host a conference on the establishment of an international criminal court,

1. Welcomes the report of the International Law Commission on the work of its forty-sixth session, 1/ including the recommendations contained therein;

2. Decides to establish an ad hoc committee open to all States Members of the United Nations or of specialized agencies to review the major substantive and administrative issues arising out of the draft statute prepared by the International Law Commission and, in the light of such review, to consider arrangements for the convening of an international conference of plenipotentiaries;

3. Further decides that the ad hoc committee will meet from 3 to 13 April 1995 and, if it so decides, from 14 to 25 August 1995, and present its report to the General Assembly at the beginning of its fiftieth session, and requests the Secretary-General to provide the working group with the necessary facilities for the performance of its work;

4. Invites States to submit to the Secretary-General, before 15 March 1995, written comments on the draft statute for an international criminal court, and requests the Secretary-General to invite such comments from relevant international organs;

5. Requests the Secretary-General to present to the ad hoc committee a preliminary report with provisional estimates of the staffing, structure and costs of the establishment and operation of an international criminal court;

6. Decides to include in the provisional agenda of its fiftieth session an item entitled "Establishment of an international criminal court", in order to study the report of the ad hoc committee and the written comments submitted by States and to decide on the convening of an international conference of plenipotentiaries to conclude a convention on the establishment of an international criminal court including on the timing and duration of the conference.

1/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 10 (A/49/10).